

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

BALENCIAGA CORPORATION

Plaintiff,

v.

STEVE MADDEN, LTD.

Defendant.

Case No.: 09 CV 05458 (JG)

STATUS REPORT

Plaintiff, Balenciaga Corporation, (“Plaintiff” or “Balenciaga”) and Defendant, Steve Madden, Ltd., (“Defendant” or “Madden”) by and through their attorneys, respectfully submit this report regarding the status of settlement.

The Parties last addressed this matter with the Court on September 15, 2011. In the status report to the Court, the parties advised the Court that the Agreement had undergone additional modifications. Madden represented to the Court in the prior status report that the executed Agreement will be forwarded to Plaintiff on or about September 27, 2011. Based upon this date estimate, Balenciaga estimated that it would need until October 6, 2011 to review and, if acceptable, counter-execute the Agreement.

Since the last status report, the Settlement Agreement has been with Madden for execution. Madden forwarded a pdf copy of the executed Agreement to counsel for Balenciaga by e-mail on October 5, 2011 and will forward the original executed Agreement to counsel for Balenciaga on October 6, 2011. Upon receipt, counsel for Balenciaga will promptly send the Agreement for counter-execution by the Plaintiff.

The parties will need until October 25, 2011 for Balenciaga to review and, if acceptable, counter-execute the Agreement.

The Parties appreciate the Court's indulgence in permitting time for the execution of the Settlement Agreement. The Parties will file a stipulation of dismissal no later than October 25, 2011. If the Parties are unable to file a stipulation of dismissal by October 25, 2011, they will submit a follow-up report to the Court as to the progress of the settlement on or before October 25, 2011.

It is further stipulated, by and between the undersigned parties, that the time for Defendant Steve Madden, Ltd. to answer or otherwise respond in connection with the complaint filed in the above-captioned action is extended from October 6, 2011 to October 25, 2011.

The original date for the Answer was September 3, 2010. All previous requests to extend were granted.

DATED: October 6, 2011

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Attorneys for Defendant
Steve Madden, Ltd.

SO ORDERED

By: _____
UNITED STATES DISTRICT JUDGE